THE RELIGION OF AL-ISLĀM AND MARRIAGE

- BY ARIFA HUDDA

بسم الله الرحمن الرحيم

MAN – JUST LIKE ANY other creation possessing both a body and a soul (rūh) is in need of several things - each of which is essential for the safeguard of one's survival and well-being. For example, the hunger pains and desire for nourishment compel one to eat so as to build up energy to live another day; the feelings of thirst make one drink water which is also essential for one's life. These and many other things facilitate man to live a prosperous and healthy life. Similarly, the sexual desires and the need to fulfill one's sexual requirements and passions play a key role in the protection of mankind, and continuation of the human race. Therefore, it is not sensible to defy this necessity or try to suppress it.

Since Man has been chosen as "the best of creations", Allāh ﷻ has laid down the foundation of marriage in order to allow this need of life to be fulfilled in a legitimate manner. As well, the guidelines are very much in accordance with the intellect – since the laws are Divine and the specific conditions are befitting to the valuable souls of both men and women alike.

Historically speaking, the very first relationship that was established was that of marriage between a **male and female** – not that of a mother/daughter relationship, nor a father/son relationship. Thus, it can be deduced that marriage is one of the most sacred bonds between a man and a woman. In the book, *Etiquette of Marriage*, it mentions the beautiful story of Prophet Ādam (peace be upon him), the first Vicegerent of Allāh ﷻ on the Earth and his marriage, which we narrate here.

After Ādam (peace be upon him) was created, he felt lonely and complained to the Almighty about his solitude. Allāh ﷻ put Ādam (peace be upon him) to sleep and then created Hawwah ؑ with the utmost beauty.

He covered her with the robes of Paradise and brought her forth with other ornaments of beautification. At this time, He ﷻ instructed Hawwah (peace be upon her) to sit near the head of Prophet Ādam (peace be upon him). When he awakened from his sleep and his eyes fell on Hawwah (peace be upon her), he was so obsessed and captivated by her charm that he wanted to reach out and touch her. At this point, the Angels forbid him from doing so.

Ādam (peace be upon him) asked them, *'Did Allāh not create her for me?'* The Angels replied, *'Yes, but you have to approach her in the appropriate manner. First you must propose to her (by asking her guardian for permission to marry her), then you must grant her the Mahr (gift), followed by the recitation of the 'Aqd (marriage contract).'*

Prophet Ādam (peace be upon him) questioned, *'Who do I have to ask for permission to marry her?'* The Angels replied, *'You must ask Allāh.'* Then Ādam (peace be upon him) asked, *'O' Allāh! What will her Mahr be?'* Allāh ﷻ replied, *'Teach her the rules of My religion and send blessings (ṣalawāt) on Muḥammad and the family of Muḥammad.'*

From the above historical event, we can see that when a man wants to agree upon the Mahr with his wife, they should make an agreement that (as a part of the Mahr), he will teach her the rules and regulations of the religion of Allāh ﷻ. Details of the Mahr will come later on, Inshā-Allāh.

Therefore, from this narration, we see that the first relationship that was created by our Creator for humanity was that of marriage.

With this said, we must know the finer points and overall rulings of this sacred foundation in order to have a fruitful and successful life in this world and more importantly, in the life hereafter.

In this special issue of Al-Ḥaqq Newsletter, we will be covering various issues of the Marriage that will be applicable to both the younger couples getting married and also to those older men and women who are either divorced or who have had to bear the death of their spouses due to sickness or old age. All the information has been taken from the original Islāmic sources and Inshā-Allāh, will aid in the education and enlightenment of our Muslim community. Any questions or comments on the contents of the articles can be forwarded to us at ihs@primus.ca.



TABLE OF CONTENTS

MARRIAGE IN THE QUR'ĀN AND SUNNAH OF THE PROPHET ﷺ

- BY SALEEM BHIMJI

ONE OF THE RECOGNIZED and indisputable commandments of Islām is that of marriage – the sacred union that takes place only between a man and a woman. In relation to this revered bond, there are many verses of the Noble Qur'ān and countless aḥādīth that encourage marriage for any single man or woman – of any age or background. This is not only limited to the young brothers and sisters who have never been married and are looking for their life mate, but even those who have been through divorce have also been encouraged to re-marry and to "complete" their faith. From the ocean of traditions and verses of the Qur'ān on this topic, we quote the following:

﴿ وَأَنكِحُوا۟ ٱلْأَيَـٰمَىٰ مِنكُمْ وَٱلصَّـٰلِحِينَ مِنْ عِبَادِكُمْ وَإِمَآئِكُمْ ۚ إِن يَكُونُوا۟ فُقَرَآءَ يُغْنِهِمُ ٱللَّهُ مِن فَضْلِهِۦ ۗ وَٱللَّهُ وَٰسِعٌ عَلِيمٌ ﴾

"Marry the single people from among you and the righteous slaves and slave-girls. If you are poor, Allāh will make you rich through His favour; and Allāh is Bountiful, All-Knowing." (Sūrah 24, Verse 32)

In this verse, Allāh ﷻ commands us (by Him using the imperative form of the verb) to marry the single, righteous man/woman from among us. Allāh ﷻ even gives us a guarantee that if we are poor or lack the proper funds, still we should not delay the marriage as Allāh ﷻ will take care of the couple and grant them bounties from His Grace and Mercy.

﴿ وَلْيَسْتَعْفِفِ ٱلَّذِينَ لَا يَجِدُونَ نِكَاحًا حَتَّىٰ يُغْنِيَهُمُ ٱللَّهُ مِن فَضْلِهِۦ ۗ ﴾

"And let those who cannot find someone to marry maintain chastity until Allāh makes them rich through His favours..." (Sūrah 24, Verse 33)

In the continuation of Sūrah 24, in the above quoted verse, Allāh ﷻ commands the believers to remain chaste and faithful if they cannot find a suitable spouse to marry until Allāh ﷻ grants them bounties out of His favors. Thus, one must not resort to evil, sin or illicit sexual relationships because they cannot find a permanent spouse.

One such avenue open to those who cannot afford to marry a woman in Nikāḥ, as the Qur'ān has commanded us and the numerous aḥādīth from the Prophet of Islām (blessings of Allāh be upon him and his progeny) and his 12th Infallible successors, the A'immah (peace be upon all of them) have done is to perform the Mutaʿ and marry a man or woman in "temporary marriage" so as to be able to fulfill our natural desires in a legal and permitted means:

﴿ وَأُحِلَّ لَكُم مَّا وَرَآءَ ذَٰلِكُمْ أَن تَبْتَغُوا۟ بِأَمْوَٰلِكُم مُّحْصِنِينَ غَيْرَ مُسَـٰفِحِينَ ۚ فَمَا ٱسْتَمْتَعْتُم بِهِۦ مِنْهُنَّ فَـَٔاتُوهُنَّ أُجُورَهُنَّ فَرِيضَةً ۚ وَلَا جُنَاحَ عَلَيْكُمْ فِيمَا تَرَٰضَيْتُم بِهِۦ مِنۢ بَعْدِ ٱلْفَرِيضَةِ ۚ إِنَّ ٱللَّهَ كَانَ عَلِيمًا حَكِيمًا ﴾

"...and besides these, it is lawful for you to marry other women if you pay them their dowry, maintain chastity and do not commit indecency. So those (women) whom you marry for an appointed time, you must give them their agreed upon dowries. There is no harm if you reach an understanding among yourselves about the dowry, Allāh is All-Knowing and All-Wise. (Sūrah 4, Verse 24)

This is a commandment from Allāh ﷻ which was not only mentioned in the Qur'ān, but which He commanded his last and greatest Prophet (blessings of Allāh be upon him and his progeny) to convey to the Ummah, which can never be made forbidden by anyone as that which Muḥammad has made halāl is halāl until the Day of Judgement and that which he has made ḥarām will remain ḥarām until the Day of Judgement.

In another verse of the Qur'ān, Allāh ﷻ compares the husband and wife to garments for one another:

﴿ هُنَّ لِبَاسٌ لَّكُمْ وَأَنتُمْ لِبَاسٌ لَّهُنَّ ۗ ﴾

"They (your wives) are a clothing (covering) for you and you too are a clothing (covering) for them." (2:187)

In our day to day life, we see many uses for clothing. Not only does our dress act as a beautification for ourselves, but it also covers any defects that we may have on our physical body – thus, if a person has a scar or burn mark on his body, the clothing will cover this from others around him and thus, they would not know that he has such a physical 'defect'. The husband and wife are to play the same role in relation to one another. If the wife has spiritual defects or lacks something in her character, then the husband must cover these up and not expose her shortcomings to others. The wife too, must cover up and hide her husbands' deficiencies and weaknesses and protect her mate. Not only has Allāh ﷻ commanded the believers not to make fun of one another and not to mock or ridicule others, but they are also supposed to protect the honour and integrity of one another.

In the 30th Sūrah of the Qur'ān, ar-Rūm, Allāh ﷻ tells us that:

﴿ وَمِنْ ءَايَـٰتِهِۦٓ أَنْ خَلَقَ لَكُم مِّنْ أَنفُسِكُمْ أَزْوَٰجًا لِّتَسْكُنُوٓا۟ إِلَيْهَا وَجَعَلَ بَيْنَكُم مَّوَدَّةً وَرَحْمَةً ۚ إِنَّ فِى ذَٰلِكَ لَـَٔايَـٰتٍ لِّقَوْمٍ يَتَفَكَّرُونَ ﴾

"And one of His signs is that He has created for you, spouses from amongst yourselves so that you might take comfort in them and He has placed between you, love and mercy. In this there is surely evidence (of the truth) for the people who carefully think."(Sūrah 30, Verse 21)

In this verse we see that Allāh ﷿ regards the creation of spouses – the husband and wife – as a sign of His greatness. Not only has Allāh ﷿ created these two individuals, but in order for there to be peace and harmony between the two of them, He himself has placed love and mercy between them so that they can live a life of tranquility.

In Sūrah al-Nisā, verse 1, Allāh ﷿ addresses all of mankind – Muslim, Christian, Jew, Non-Believer – by stating:

﴿ يَـٰٓأَيُّهَا ٱلنَّاسُ ٱتَّقُوا۟ رَبَّكُمُ ٱلَّذِى خَلَقَكُم مِّن نَّفْسٍ وَٰحِدَةٍ وَخَلَقَ مِنْهَا زَوْجَهَا وَبَثَّ مِنْهُمَا رِجَالًا كَثِيرًا وَنِسَآءً ۚ وَٱتَّقُوا۟ ٱللَّهَ ٱلَّذِى تَسَآءَلُونَ بِهِۦ وَٱلْأَرْحَامَ ۚ إِنَّ ٱللَّهَ كَانَ عَلَيْكُمْ رَقِيبًا ﴾

"O' mankind! Have consciousness of your Lord who has created you from a single soul. From it He created your spouse and through them He populated the land with many men and women. Have spiritual awareness of the One by whose Name you swear to settle your differences and have respect for the wombs that bore you. Without doubt, Allāh keeps watch over you all." (Sūrah 4, Verse 1)

Again in this verse of the Qur'ān, we are once again reminded that it is Allāh ﷿ who created mankind and then made its spouse and through these two has the world become populated. It goes without saying that it is only through the natural act of marriage between a man and woman that children can be brought into this world as all others forms of "marriage" are deviations that can never produce a child and thus, an increase in the population.

The noble aḥādith are also replete with traditions narrated from the Prophet (blessings of Allāh be upon him and his progeny) and his immediate successors, some of which we present below.

قَالَ رَسُولُ ٱللّٰهِ (صَلَّىٰ ٱللّٰهُ عَلَيهِ وَ آلِهِ وَ سَلَّمَ): مِنْ سُنَّتِي أَلتَّزْوِيجُ فَمَنْ رَغِبَ عَنْ سُنَّتِي فَلَيْسَ مِنِّي.

The Messenger of Allāh (prayers of Allāh be upon him and his progeny) has said, "Of my tradition is to marry. So then whoever turns away from my tradition (Sunnah) is not from me (my nation)."

In this famous tradition mentioned in all books of Islāmic narration, the Prophet clearly spelled it out to the believers that in order to stay on his path which is the true path of salvation, we must marry – not only the youth who are getting married for the first time - but also older people who may have divorced or lost a spouse must also marry in order to remain on the Sunnah of the Prophet (blessings of Allāh be upon him and his progeny).

قَالَ رَسُولُ ٱللّٰهِ (صَلَّىٰ ٱللّٰهُ عَلَيهِ وَ آلِهِ وَ سَلَّمَ): مَا بُنِيَ بِنَاءَ فِي ٱلْإِسْلَامِ أَحَبُّ إِلَـىٰ ٱللّٰهِ عَزَّوَجَلَّ مِنَ ٱلتَّزْوِيجِ

The Messenger of Allāh (prayers of Allāh be upon him and his progeny) has said, "There is no foundation that has been built in Islām more loved by Allāh, (The Greatest and Noblest) than marriage."

This ḥadīth shows us the great importance that Allāh and His Messenger (prayers of Allāh be upon him and his progeny) have placed on marriage, such that it is the most loved foundation or establishment upon which the Muslim man and woman can build their life upon. If such a foundation is built with love, honesty, sincerity and true faith in Allāh ﷿ and all that He has commanded, then there is nothing that could destroy such a firm building.

عَنْ أَبِي عَبْدِ ٱللّٰهِ (عَلَيْهِ ٱلسَّلَامُ): جَاءَ رَجُلٌ إِلَـىٰ أَبِي فَقَالَ لَهُ: هَلَ لَكَ زَوْجَةٌ؟ قَالَ لَا. قَالَ (عَلَيهِ السَّلَامُ): لَا أُحِبُّ أَنَّ لِيَ ٱلدُّنْيَا وَ مَا فِيهَا وَ إِنِّي أُبِيتُ لَيْلَةً لَيْسَ لِي زَوْجَةٌ.

It has been narrated from Abī ʿAbdillāh that, "A man once came to my father. My father asked him, 'Are you married?' The man replied, 'No.' My father (peace be upon him) replied, 'I would not love to have the world and all that is contained within it if it meant I had to spend one night without a woman (beside me).'"

This saying from our sixth Imām (peace be upon him) shows the importance that the rightful successors of the Prophet (blessings of Allāh be upon him and his progeny) placed on marriage. In this ḥadīth, we are told that the Imām would not even trade all the beauties and material treasures that exist in the world, if it means that he had to spend even one night alone! This may point to the fact that the evil whisperings of Shaiṭān may penetrate a single man or woman to go towards the prohibited and thus, contaminate his or her faith and belief.

﴿ وَمِنْ آيَاتِهِ أَنْ خَلَقَ لَكُم مِّنْ أَنفُسِكُمْ أَزْوَاجاً لِّتَسْـــكُنُوا إِلَيْهَا وَجَعَلَ بَيْنَكُمْ مَوَدَّةً وَرَحْمَةً إِنَّ فِي ذَٰلِكَ لَآيَاتٍ لِّقَـــوْمٍ يَتَفَكَّرُونَ ﴾

﴾ And of His signs is that He has created spouses for yourselves from your own selves so you might take comfort in them and He has created love and mercy among both of you. In this there is evidence (of the truth) for the people who (carefully) think. ﴿ (Sūrah 30, Verse 21).

The Age of Marriage

- Mehri Zinhari [From Mahjubah Magazine]

Puberty is a natural phenomenon that occurs at varying ages in different individuals. Research in global human behavior seems to indicate that girls and boys who are born and live in warmer parts of the world are more likely to reach puberty earlier, than their peers living in the colder regions and climates of the world. For example, those who live in the Middle Eastern Arab countries tend to reach puberty at an earlier age compared to those who live in Northern European countries.

However, reaching the age of puberty should not be considered as the only criteria for deciding on an appropriate age for marriage. Other factors such as the overall maturity of a person, and his or her ability to discern between what is good or bad, such that his personal approval or disapproval in important decisions of life become valid, must also to be taken into consideration.

What is the Meaning of 'Maturity'?

Like all other living beings, the human being too goes through a process of constant change and growth. This natural overall process can be seen distinctly through changes in height, weight, habits, skills, and social, economic and emotional behavior. All these patterns have been widely studied and discussed through psychology and other related sciences.

Ayatullāh Khomeini (may Allāh be pleased with him) has defined 'maturity' thus: 'Maturity implies powerful presence of mind and intelligence in one's dealings, one's ability to safeguard one's possessions from being squandered away and one's prudence in spending in a judicious manner.'

For girls, maturity may be defined as follows: 'A girl's ability to manage a good life, her level of acceptance of the responsibility of motherhood and child-rearing, as well as her appropriateness in social behavior.'

From the above definitions, we can see that although one may have reached the age of puberty and according to Islāmic practical laws, Ṣalāt (prayer) and Ṣawm (fasting) are now obligatory on him/her, but if he/she is not socially active and economically productive, then he/she may be termed as an adolescent, but not as 'mature'.

The prime age of marriage for girls, would also depend on their mental and psychological maturity. It may be possible that in some cases by the age of 14, a girl may be mature enough to shoulder the responsibility of family-life and motherhood, but a woman of 30 may not yet be mature enough to do so! Therefore, what is important in determining the ripe age for marriage is one's own level of maturity and readiness, whether one has reached the legal age for marriage or not! It would be very naive to ignore geographical and regional conditions and norms, as well as the needs of the youth of the day, and such negligence could lead to many problems.

In the present world, with the greater intermingling between sexes, better nutrition, educational facilities and more awareness due to advanced mass media, children are reaching "maturity" much earlier than ever before; and considering these factors, raising the legal age for marriage for boys and girls is quite unjustifiable.

It is interesting to note that at one point of time, the British Parliament had passed a law that had set the minimum legal age for marriage of boys at 21 years, whereas the minimum permissible age for being candidate for the post of Prime Minister was 18 years! When the people raised an objection to this absurd law, the Parliament responded by declaring that it was often more difficult to manage a wife than to manage a country.

Raising the legal age of marriage and not permitting young boys and girls who are dealing with strong sexual urges, to have a healthy and safe outlet for their natural, youth-related tendencies, only leads to the spread of promiscuity and moral corruption in the society. If boys aren't allowed to form a family before the age of 18 or 20 years; or if girls are forced to face emotional and psychological pressures due to the same reasons, then they become very prone to social and psychological problems.

Thus, we conclude that a suitable age for marriage would be the time of physical and mental maturity in a person. Islam has specified the age of physical maturity but it has not specified the age of mental maturity. Rather, it has left it open to the discretion of the parents and children themselves.

Those who are in favor of raising the legal age for marriage argue that:

1. Boys, before the age of 18 and girls, before the age of 15 aren't equipped to form a family and aren't in a position to bear the heavy responsibilities and difficulties of family life.

2. Early marriages are a contributing factor to criminality.

3. Women who have fled from their husbands' homes and have them become resentful towards them, are mostly women who have got married before the legal age of marriage.

In response to such arguments it could be said that although there is no denial of the fact that early marriages, before physical and mental maturity, may lead to betrayal, family disagreements and many other problems; however, when a girl or a boy is physically and mentally ready for married-life, then there is no reason why the legal age for marriage should be increased.

Marriage Age for Girls

The Noble Prophet (blessings of Allāh be upon him and his progeny) has said: *"Virgin girls are like fruits on trees. If not plucked in time, the sun will rot them and the wind will disperse them. When girls reach maturity and their sexual instincts arise, like that of women, their only remedy is marriage. If they aren't married, they are prone to moral corruption. It is because they are human beings and human beings are prone to making mistakes."*

There is a very subtle message in this saying of the Prophet (blessings of Allāh be upon him and his progeny). Just as there is proper timing for plucking fruits, there is a proper age for marriage, for every girl. A girl who cannot understand and shoulder the responsibility of married-life is like a raw fruit that needs to remain on the tree (i.e. her father's home) until it ripens and sweetens. On the other hand if a girl loses the freshness of youth while yet unmarried, then she is like an over-ripe fruit that would further wither away, as the time passes.

Age Difference Between the Husband and Wife

Is there a relationship between the age gap of the husband and wife and success of the marriage?

Since there is a difference in the age of puberty of girls and boys, they don't reach mental maturity at the same age either. Moreover, since women lose their sexual desires relatively earlier than men, a 5 to 6 year age gap between the husband and wife seems to be appropriate. With this age gap, women reach menopause when the sexual desires of men have somewhat subsided. This would add to the possibility of the success of their marriage and increase the spirit of sacrifice and intimacy between them.

If the man happens to be much older than his wife, in that case he could end up treating his wife like a daughter, and the wife may think him to be more of a father than a husband. As a result there may exist lack of compatibility and friendship between the two. On the other hand if the wife happens to be much older than the husband, she may be more of a mother to him and not be able to play the role of a wife. This could lead to indifference and anger, for, there doesn't exist a mental and physical balance between the two. Under such circumstances they would be unable to perceive each other's needs. So a healthy age difference between the husband and wife is very important for a happy and successful marriage.

Thus, we could conclude that the personal physical and mental state of a boy and girl are the most important criteria to decide on the appropriate age for marriage. ◉

MARRIAGE & MORALS IN ISLĀM

- EXTRACTED FROM THE BOOK BY ḤUJJATUL ISLAM SAYYID MUHAMMAD RIZVI

THE BEGINNING OF SEXUAL LIFE

Bulugh and Rushd

Sexual desire is aroused in human beings at the age of puberty. In Islāmic legal definition puberty (*bulugh*) is determined by one of the following:

1. *Age:* fifteen lunar years for boys and nine lunar years for girls;

2. *Internal change (in boys only):* The first nocturnal emission. Semen accumulates in the testicles from puberty onwards and more semen may be formed than the system can assimilate; when this happens, semen is expelled during the sleep. This is known as nocturnal emission wet dream or *ihtlām* in Arabic.

3. *Physical change:* Growth of coarse hair on lower part of abdomen.

Since the sexual urge begins at puberty and as Islām says that sexual urge should be fulfilled only through marriage, it has allowed marriage as soon as the boy and the girl reach the age of puberty. In the case of girls, it not only allows them to be married as soon as they become mature, but also recommends such marriage. It is based on such teachings that Islām discourages girls from postponing their marriage because of education; instead, it says that girls should get married and then continue their education if they wish to do so.

Physical maturity by itself, however, is not enough for a person to handle the marriage responsibilities; *rushd* (maturity of mind) is equally important. On the other hand, our present way of life has become so much complicated that a considerable gap has appeared between puberty and maturity both in financial and social affairs. A recent article on the American youths says, "[Y]oung Americans entering the 21st century are far less mature than their ancestors were at the beginning of the 20th. The difference is evident in all areas of youthful development: sex, love, marriage, education and work. Physically, today's youths are maturing earlier than previous generations, but emotionally they are taking much longer to develop adult attachments." (*Newsweek*, Special Edition Spring 1990, p. 55) Consequently, it is not easy for boys and girls of our atomic era to marry as soon as they become physically mature. ◉

THE PRECONDITIONS TO THE ʿAQD OF MARRIAGE

- BY SALEEM BHIMJI

EVEN BEFORE WE DISCUSS the rulings and method of reciting the Marriage ʿAqd and married life in general, there are many preconditions that must be covered and understood by both parties. These issues that we bring forth have, unfortunately, been twisted and contorted to fit our cultural background or in some cases, out right refused as not being Islāmic principles. Inshā-Allāh, we will cover some of these preconditions in brief.

1. Looking at the Other Party Before Marriage

This discussion can actually be divided into two separate and distinct categories: (1) the look and touch before proposing to the other party; (2) the look and touch after the proposal has been accepted; however, the ʿAqd has not be read – this is commonly known as the 'engagement' period.

It is well known that a man and woman who are not related to one another through a direct blood relationship or through one of the other ways (that are mentioned in the detailed books of Fiqh) are not Maḥram of one another. Thus, they can NOT touch or look at each other without the proper covering or with a lustful or seductive glance.

Once the temporary or permanent ʿAqd has been performed, then the man and woman become Maḥram to one another through the marriage formula and can talk, be in a secluded place with one another, hold hands, touch, hug, kiss, etc… However, while the man and woman are talking with one another in order to get to know each other, they are not permitted to be in a secluded place together, nor have any sort of physical contact – these are all forbidden (ḥarām) in Islām.

Once they have agreed to marry one another, the next step, in order for them to be able to talk in private, go out together for dinner or be able to touch each other, is that they must recite either the temporary or permanent ʿAqd. In most cases, the couple-to-be recite a Mutʿah, with the knowledge that within a certain time frame, they will be getting married (permanently).

The Mutʿah too has various conditions that must be followed, of which, we highlight the most important ones:

1. If the girl is a virgin, then she must have her parent's approval before the Mutʿah can be performed.

2. The time period and the dowry (Mahr) MUST be specified before the Mutʿah contract is pronounced, otherwise it is void.

3. The parties can make conditions, such as no sexual intercourse or other conditions – these too must be made before the contract is read. However, if later on, both parties agree to change any of the conditions made, they are free to do so.

4. The contract should be recited in the original ʿArabic and if this is not possible, then a representative should perform the Mutʿah and if this too is not possible then the third option is that the boy and girl can read the translation of the contract themselves in the language which would convey the same meaning of the ʿArabic.[1]

5. If the couple decide to get married permanently before the time period of the Mutʿah ends, the husband MUST "give back" or forgive the time to his wife that remains. Once this has been done, then and only then can they marry in permanent marriage. If the couple is in a temporary marriage and they then marry permanently while the temporary marriage has not ended, then the permanent marriage will be null and void, and at the completion of the time period of the temporary marriage, they will not be classified as being married to one another.

2. The Istikhāra in Relation to the Boy or Girl

One of the other incorrect philosophies that a majority of people have adhered to is the Istikhāra or seeking the best from Allāh ﷻ before a marriage.

Before the boy and girl even get a chance to meet one another and talk and see if they are compatible with the other, the parents will rush to their local Mawlana or ʿAlim to perform the traditional Istikhāra. If the answer comes 'good', then even if the boy or girl is the biggest sinner or ill-mannered person, the parents will welcome him/her into the family with open arms. The opposite has also been seen that if the boy or girl is an upright, virtuous, and pious believer, but the Istikhāra comes out 'bad' then they are automatically rejected with no chance to go forward.

This idea which is so prevalent amongst the Muslim community must be uprooted and thrown out with all other such traditional and cultural practices that have no basis in Islām.

The Istikhāra is a method that has been taught and approved by our Prophet (blessings of Allāh be upon him and his progeny) and Ahlul Bait (peace be upon all of them), however, there are many preconditions and steps that MUST be followed before we rush to the Qur'ān or Tasbīh.

---

[1] Please note that this and all other ruling in this magazine are in accordance to the fatawā of Āyatullāh al-ʿUẓmā al-Ḥājj as-Sayyid ʿAlī al-Ḥusainī as-Sīstānī. Muqallidīn of other Marāʿja should check their rulings on these and other issues contained in this discussion.

These stages, in relation to marriage include:

- Speaking to the boy or girl and getting to know their thoughts, ideas and beliefs.
- Asking friends and family members about the boy or girl. Although in Islām, backbiting or speaking bad about others is prohibited, however, the ʿUlamā have mentioned that this is one scenario where the law is accommodated for the betterment of the family structure.
- The many supplications (such as Duʿā 33 in as-Ṣaḥifah al-Kāmilah as-Sajjādiyah, known as the Supplication for Seeking the Best) should be recited and the person must sincerely ask Allāh ﷻ to guide his/her heart to that which is truly the best.

If one is truly in doubt after all these stages have been EXHUASTED, then and only then should one resort to the 'traditional' Istikhāra.

There is a comprehensive book on this topic which has recently been published by the Islamic Humanitarian Service entitled Istikhāra: Seeking the Best from Allāh (SWT) which can be purchased from **www.al-haqq.com**.

3. The Mahr – A Gift to the Woman

The Mahr - or dowry as it is usually translated - is one of the ways through which the woman becomes ḥalāl for the man – the other (which goes along with and is side by side) is the actual ʿAqd or reading of the vows.

The Mahr, which must be specified before the ʿAqd, is a gift to the wife and in no way can be referred to as the price or worth of the woman.

By examining the Islāmic traditions, we see that it is not necessary that money or gold or some physical item be given as the Mahr – rather, anything that the woman requests and the man agrees to would be considered as the Mahr. It is for this reason that we see at the time of the Prophet (blessings of Allāh be upon him and his progeny) that a man married a woman and the Mahr was that he would teach her the Qur'ān! There are many instances such as this in the history of the Muslims where the Mahr was either a very small amount or a non-materialistic gift.

Unfortunately, in many communities nowadays, the trend has been to set the Mahr to substantial amounts of money, jewelry, gold, and other material goods - where as in Islām, the recommended act is to have a 'small' or modest Mahr, such that the husband is not put into any difficulty to pay it and thus, a large Mahr is actually Makrūh or highly discouraged.

According to the Scholars, if the Mahr is set to such an amount that even in the future, the man will not be able to pay it, or if the man does not have the intention to pay the Mahr, then such a marriage is a matter of doubt.

Also, it must be made clear that the Mahr is not something that one pays only in the event of a divorce, as is seen in some East Asian cultures. Therefore, the wife can even DEMAND that this amount be paid to her before she agrees to have sexual intercourse with her husband.

The husband and wife can agree on a time frame when the amount will be paid and as it has been mentioned in the Islāmic books of law, if the wife demands the money after it has become due, then it becomes obligatory on the husband to give it to her even if it means that he must take a loan. If he does not pay the money while possessing the ability, then he has committed a grave sin and will be held accountable by Allāh ﷻ.

In relation to the Mahr and its importance, Imām ʿAlī ibn Abī Ṭālib (peace be upon him) has stated:

إِنَّ أَحَقَّ شُرُوطِ أَنْ يُوَفَّىٰ بِهِ مٰا إِسْتَحْلَلْتُمْ بِهِ ٱلْفُرُوجَ

"This (the Mahr) is the most important of all the conditions through which, the private parts (intercourse) have been made lawful and permitted for you."

We conclude the section on the importance of the Mahr with a stern warning from our Prophet Muḥammad (blessings of Allāh be upon him and his progeny) about those men who refuse to give their wives that which they promised them:

مَنْ ظَلَمَ إِمْرَأَةً مَهْرَهٰا فَهُوَ عِنْدَ ٱللّٰهِ زٰانٍ. يَقُولُ ٱللّٰهُ عَزَّوَجَلَّ يَوْمَ ٱلْقِيٰامَةِ: عَبْدِي زَوَّجْتُكَ أَمَّتِي عَلىٰ عَهْدِي فَلَمْ تُوَفَّ بِعَهْدِي وَ ظَلَمْتَ أَمَّتِي؟ فَيُؤْخَذُ مِنْ حَسَنٰاتِهِ فَيَدْفَعُ إِلَيْهٰا بِقَدَرِ حَقِّهٰا. فَإِذٰا لَمْ يَبْقَ لَهُ حَسَنَةٌ أُمِرَ بِهِ إِلىٰ ٱلنّٰارِ بِنَكَثَهُ ٱلْعَهْدَ. قٰالَ ٱللّٰهُ تَعٰالىٰ: ﴿ وَ أَوْفُوا بِالْعَهْدِ إِنْ ٱلْعَهْدَ كٰانَ مَسْئُولاً ﴾

"The man who oppresses his wife in relation to the Mahr is considered as a fornicator in the eyes of Allāh. On the Day of Judgement, Allāh (Glorified and Exalted is He) will say to such a man, 'O' My servant! I married you to My bondservant on My promise (the Mahr) and then you were not loyal to My promise and you oppressed My bondservant!' At this time, Allāh will take all of this man's good deeds and will give them to her in accordance to the rights of her that he had taken (the Mahr). When there remains no more good deeds, then Allāh (Glorified and Exalted is He) will order him to the hell fire with the other people who had broken their promise. Allāh (Glorified and Exalted is He) has said, ﴾And be honest in your promises. Surely the promise is something that (you) shall be questioned about.﴿" ◉

THE MARRIAGE ʿAQD (CONTRACT)

- BY SALEEM BHIMJI

IN KEEPING WITH THE eternal tradition of our Prophet Muḥammad (blessings of Allāh be upon him and his progeny) in the style of the recitation of the marriage ʿAqd, as he had done during the marriage of his daughter Fāṭimah binte Muḥammad (peace be upon her) to ʿAlī ibn Abī Ṭālib (peace be upon him), the ceremony is preceded by a Khutbah or introduction extolling the Oneness of Allāh ﷻ and His characteristics, and then sending praise and prayers upon the Prophet of Islām and his noble family members. Once this has been recited, the actual ʿAqd or contract is performed.

According to a majority of our ʿUlamā, the contract MUST be recited in the correct ʿArabic language however Āyatullāh al-ʿUẓmā al-Ḥājj as-Sayyid ʿAlī al-Ḥusainī as-Sīstānī, in his recent book, *A Code of Practice for Muslims in the West*, states that if the man or woman can not read the ʿArabic correctly, then they should take a representative who could read the contract on their behalf. If this too is not possible, then they may recite the contract in their own language (translation) as long as the meaning remains the same as the original ʿArabic.

In the examples given below, we will assume that the brother and sister will be reading their own ʿAqd (contrary to that of having a Representative for each side).

أَعُوذُ بِاللّٰهِ مِنَ ٱلشَّيْطَانِ ٱلرَّجِيمِ. بِسْمِ ٱللّٰهِ ٱلرَّحْمٰنِ ٱلرَّحِيمِ.

I seek refuge in Allāh from the accursed Satan.
(I begin) in the Name of Allāh, the Merciful, the Compassionate

أَلْحَمْدُ لِلّٰهِ الَّذِي هَدٰنَا لِهٰذَا وَ مَا كُنَّا لِنَهْتَدِيَ لَوْ لاَ أَنْ هَدٰنَا ٱللّٰهُ. وَ صَلاَةٌ وَ سَلاَمٌ عَلىٰ سَيِّدِنَا وَ نَبِيِّنَا وَ مَوْلاَنَا وَ حَبِيبِ قُلُوبِنَا وَ طَبِيبِ نُفُوسِنَا أَبِي ٱلْقَاسِمِ مُحَمَّدٍ. وَ صَلاَةٌ وَ سَلاَمٌ عَلىٰ أَهْلِ بَيْتِهِ ٱلطَّيِّبِينَ ٱلطَّاهِرِينَ ٱلْمَعْصُومِينَ ٱلْمَظْلُومِينَ. وَ لَعْنَةُ ٱللّٰهِ عَلىٰ أَعْدَائِهِمْ مِنْ يَوْمِ أَوَّلِ ظُلْمِهِمْ إِلىٰ يَوْمِ ٱلدِّينِ. أَمَّا بَعْدُ فَقَدْ قَالَ ٱللّٰهُ سُبْحَانَهُ وَ تَعَالىٰ فِي كِتَابِهِ:

All the praise belongs solely to Allāh, the One who guided us to this and we could not have been guided to this had it not been for the direction of Allāh. And prayers and salutations are sent upon our Master and our Prophet and our Mawlanā and the love of our hearts and the spiritual physician of our souls Abil Qāsim Muḥammad. And may prayers and salutations be upon his progeny, the Purified, Immaculate, free from sin, oppressed (individuals). May the perpetual curse of Allāh and removal of divine blessings overwhelm their enemies from the first day they committed such oppression, until the Day of Judgement. And after this, verily Allāh, the Glorious and High has said in His Book:

﴿ وَأَنكِحُوا ٱلْأَيَامَىٰ مِنكُمْ وَٱلصَّالِحِينَ مِنْ عِبَادِكُمْ وَإِمَائِكُمْ إِنْ يَكُونُوا فُقَرَاءَ يُغْنِهِمُ ٱللَّهُ مِن فَضْلِهِ وَٱللَّهُ وَاسِعٌ عَلِيمٌ ﴾

﴿Marry the single people among you and the righteous slaves and slave-girls. If you are poor, Allāh will make you rich through His favour; He is Bountiful and All-Knowing﴾ (Sūrah 24, Verse 32)

قَالَ رَسُولُ ٱللّٰهِ (صَلَّىٰ ٱللّٰهُ عَلَيهِ وَ آلِهِ وَ سَلَّمَ): مِنْ سُنَّتِي أَلتَّزْوِيجُ فَمَنْ رَغِبَ عَنْ سُنَّتِي فَلَيْسَ مِنِّي.

The Messenger of Allāh (prayers of Allāh be upon him and his progeny) has said, "Of my tradition is to marry. So then whosoever turns away from my tradition (Sunnah) is not from me (my nation)."

1a) The bride-to-be would say:

أَنْكَحْتُ نَفْسِي لَكَ عَلىٰ ٱلْمَهْرِ ٱلْمَعْلُومِ

1b) The husband-to-be would say:

قَبِلْتُ ٱلنِكَاحَ لِنَفْسِي عَلىٰ ٱلْمَهْرِ ٱلْمَعْلُومِ

2a) Then the bride-to-be would say:

زَوَّجْتُ نَفسِي عَلىٰ ٱلصِّدَاقِ ٱلْمَعْلُومِ

2b) The, the husband-to-be would say:

قَبِلْتُ ٱلتَّزْوِيجَ لِنَفسِي عَلىٰ ٱلْصِّدَاقِ ٱلْمَعْلُومِ

3a) The bride-to-be would say:

أَنْكَحْتُ وَ زَوَّجْتُ نَفْسِي لَكَ عَلىٰ ٱلْمَهْرِ ٱلْمَعْلُومِ

3b) The husband-to-be would say:

قَبِلْتُ النِكَاحَ وَ ٱلتَّزْوِيجَ لِنَفْسِي عَلىٰ ٱلْمَهْرِ ٱلْمَعْلُومِ

These lines are usually repeated two or three times over for the sake of precaution to make sure they have been recited properly. After these few lines have been said, the man and woman are then joined together in marriage according to the laws of Islām. There is no other 'ceremony' needed – a Walīmah is Mustaḥab, but other things are part of our cultural practices (some are permitted to do, but we have to be careful so as to not perform anything ḥarām) ◉

THE WEDDING NIGHT AND ITS' ETIQUETTE

- BY SALEEM BHIMJI

THE FIRST NIGHT OF the newly wed couple is one full of divine blessings and mercy and it with this in mind that the new couple should start their married life together. Instead of resorting to music and dance parties to celebrate the happy occasion (as has unfortunately become common place in our time), we must take lessons from the method of the Ahlul Baīt (peace be upon all of them) and how they commemorated such an auspicious occasion.

The reason why we say night and not day, contrary to the way that most marriages and ceremonies take place these days is that there are clear aḥādīth from the Prophet (blessings of Allāh be upon him and his progeny) and his Ahlul Baīt (peace be upon all of them) instructing us to have the ceremony at night and for the new wife to be taken to her new home in the evening time (after sunset):

قَالَ الْإِمَامُ جَعْفَرَ بْنِ مُحَمَّدٍ ٱلصَّادِقُ (عَلَيهِ السَّلاٰمُ): زَفُّوا عَرَائِسِكُمْ لَيْلاً وَ ٱطْعِمُوا ضُحًّى

Imām Jaʿfar ibn Muḥammad as-Ṣādiq (peace be upon him) has said, "Take your wife home at night time and during the day, eat food."

By eating food here, it is meant the customary and recommended Walīmah or ceremony that is usually kept after the recitation of the ʿAqd.

Since this is the beginning of a new life, we have been instructed by the Ahlul Baīt (peace be upon all of them) to begin it in the name of Allāh, and to seek protection in Allāh from the accursed Shaiṭān. This is done by performing the following acts which have been narrated in the various books.

It has been recommended that the husband perform Wudhū, a two Rakʿat Ṣalāt for the wedding night and then recite the following supplication:

أَللّٰهُمَّ ٱرْزُقْنِي أُلْفَهَا وَوُدَّهَا وَرِضَاهَا بِي وَٱرْضِنِي بِهَا وَٱجْمَعْ بَيْنَنَا بِأَحْسَنِ إِجْتِمَاعٍ وَ أَيْسَرَ ٱئْتِلاٰفٍ فَإِنَّكَ تُحِبُّ ٱلْحَلاٰلَ وَ تَكْرَهُ ٱلْحَرَامَ

Allāhummar zuqnī ulfahaa wa wuddahaa wa ridhaahaa bi; war dhini bihaa waj ma' banyanaa bi ahsani ijtimaa'in wa aysara' tilaafin. Fa innaka tuhibbul halaala wa takrahul haraama.

"O' Allāh! Bless me with her affection, love and her acceptance of me; and make me pleased with her, and bring us together in the best form of a union and in absolute harmony; surely You like the lawful and dislike the unlawful things."

The husband should then request his wife to perform Wudhū and also perform a two Rakʿat recommended Ṣalāt before you are ready to go to bed.

In the well-known book, Makārim al-Akhlāq, it has been narrated from Imām Jaʿfar as-Ṣādiq (peace be upon him) that when the new wife enters the room where her husband is, they should both face the Qiblah and he should place his hand on her forehead and recite the following supplication:

أَللّٰهُمَّ بِأَمَانَتِكَ أَخَذْتُهَا وَ بِكَلِمَاتِكَ إِسْتَحْلَلْتُ فَرْجَهَا فَإِنْ قَضَـــيْتَ لِي مِنْهَا وَلَداً فَاجْعَلْهُ مُبَارَكاً سَوِيًّا وَ لاٰ تَجْعَلْ لِلشَّيْطَانِ فِيْهِ شِرْكاً وَ لاٰ نَصِيباً

Allaahumma bi amaanatika akhadhtuhaa wa bi kalimaatika istahlalatu farjahaa. Fa in Qadhayta li minhaa waladan, faj-'alhu mubaarakan sawiyyan wa laa tajal lish-shaytaani feehi shirkan wa la naseeba.

"O' Allāh! I have taken her through Your trust and have made her lawful for myself by Your words. Therefore, if You have decreed for me a male child from her, then make him blessed and pious and do not let the Satan have any part in him."

In another narration from Imām Jaʿfar as-Ṣādiq (peace be upon him), it has been mentioned that when a man intends to have intercourse with his wife, he should start in the name of Allāh by saying بسم الله الرحمن الرحيم. If this is not done, then Shaiṭān puts his hand in the conception of the child.

When the Imām was asked as to how we could know if this had happened, he replied that we should look at the child and how his love or hate is for the Ahlul Baīt (peace be upon them all) – if Shaiṭān had a role to play in the conception, then that child will have enmity for the Ahlul Baīt (peace be upon them all), while the child who loves the Ahlul Baīt (peace be upon them all) was protected by Allāh ﷻ from the accursed Shaiṭān.

Another recommended act is that when the bride enters the room, the husband should greet her and take off her shoes and socks. He should then wash her feet in a basin and sprinkle this water around the house.

It is through this act, according to the Prophet of Islām, that 70,000 types of poverty will be removed and 70,000 types of desires (that the inhabitants need) will enter into the house. The Prophet went on to mention that 70 blessings and mercies will be showered upon the bride such that each of these will fill the house with mercy and as long as the wife is alive, she will never be afflicted with madness or leprosy.

The First Two Years: A Marriage Survival guide

- Adapted by Saleem Bhimji from the Article found on www.soundvision.com

More Muslim marriages in North America are breaking up in their first year than ever before, according to the scholars in North America who are having to cope with the increase in marital disputes and divorce cases.

The first five to seven years are the most challenging of any marriage. They are the time that the couple spends getting to know one another better and adjusting to each other's habits and personalities. Below, are some of the main problems couples face in the early years, and some possible solutions.

1. Lack of Proper Information Before Marriage

A number of problems are caused simply by the fact that the couple and their families go not discuss crucial issues beforehand. Some of these include:

- Whether or not the wife will work outside the home?
- Will the couple wait to have children?
- Which city and country will the couple live in after marriage?
- Will they live with his parents or have their own house or apartment?

These and other relevant issues need to be discussed and decided in the beginning stages of the marriage process.

2. Who's In Charge?

One of the biggest problems is the tug-of-war between couples over who is in control in the relationship. This has led to a stalemate in disagreements, as well as bitter feelings.

Many couples today are refusing to compromise within moderation when differences arise.

While from an Islāmic perspective, the husband is given the leadership role in the marriage relationship, this does not mean that he can run the family life like a dictator. Allāh ﷻ instructs in the Qur'ān that:

﴿ ٱلرِّجَالُ قَوَّٰمُونَ عَلَى ٱلنِّسَآءِ بِمَا فَضَّلَ ٱللَّهُ بَعْضَهُمْ عَلَىٰ بَعْضٍ وَبِمَآ أَنفَقُوا۟ مِنْ أَمْوَٰلِهِمْ ۚ فَٱلصَّٰلِحَٰتُ قَٰنِتَٰتٌ حَٰفِظَٰتٌ لِّلْغَيْبِ بِمَا حَفِظَ ٱللَّهُ ﴾

"Men are the maintainers of women because Allah has made some of them to excel others and because they spend out of their property; the good women are therefore obedient, guarding the unseen as Allah has guarded…" (Sūrah 4, Verse 34)

It must be remembered that Islāmically, a leader is one who serves, manages, provides and nourishes. A leader must also have humbleness and humility and deal with all of those under his care and protection with justice and equality.

A husband exercises the right kind of leadership by listening to and consulting with his wife.

Also, a husband is bound to follow the rules of the Qur'ān and Sunnah of the Prophet (blessings of Allāh be upon him and his progeny) and the Ahlul Baīt (peace be upon them). So differences in opinion should be referred back to these sources (and of course the Religious Scholars in our local community), instead of becoming a source of tension and problems.

Not only is it the duty of the head of the house to make sure that the material needs of the family and order are kept, but it is also his duty to protect himself and his family from the fire of hell:

﴿ يَٰٓأَيُّهَا ٱلَّذِينَ ءَامَنُوا۟ قُوٓا۟ أَنفُسَكُمْ وَأَهْلِيكُمْ نَارًا وَقُودُهَا ٱلنَّاسُ وَٱلْحِجَارَةُ عَلَيْهَا مَلَٰٓئِكَةٌ غِلَاظٌ شِدَادٌ لَّا يَعْصُونَ ٱللَّهَ مَآ أَمَرَهُمْ وَيَفْعَلُونَ مَا يُؤْمَرُونَ ﴾

"O' you who have true faith! Save yourselves and your families from the fire which is fueled by people and stones and is guarded by stern angels who do not disobey Allāh's commands and do whatever they are ordered to do." (Sūrah 66, Verse 6)

Therefore, the head of the house must make sure that he has the proper Islāmic knowledge to keep himself away from the hell and more importantly, guide his wife and children to the straight path and keep them on this road. In this regards, the husband has four important duties:

1. To invite his wife and children and any others under his care to obey Allāh. The husband should call his family to follow the religion and encourage them in this regard.

2. Teach those under his care their religious duties and obligations – of course this means that the husband must first and foremost know his own religion and beliefs. If he is not well acquainted with his religion, then he must employ the services of the local Masjid and the scholars and either invite them to his house or go to the Masjid for Islāmic classes.

3. Encourage the family members to perform good deeds (Amr bil Maʿrūf), as not only is this one of the obligatory acts in our religion, but it will also help the family both in the short term and long term. If they know their responsibilities and are continuously guided to them, then peace, harmony and tranquility will rule throughout the house.

4. The father must also make sure and remind other members of his family to stay away from evil and sin (Nahī ʿAnil Munkar). Again, this is a part of our beliefs and without doubt, that home in which people are not plagued with committing sins and evil acts is one in which Allāh ﷻ looks favourable upon and blesses the inhabitants of it.

3. The Divorce Option

Once upon a time, "divorce" was the seven-letter word most Muslim couples avoided using. Today, amongst many Muslim couples in North America, it is one of the first recourses turned to when conflicts occur in a marriage.

It should be remembered that out of all of the things that Allāh ﷻ has made ḥalāl (permissible), divorce is the one He hates the most. Couples need to look at several other alternatives before turning to this drastic measure. The Prophet of Islām (blessings of Allāh be upon him and his progeny) has told us that:

مٰا خَلَقَ ٱللّٰهُ شَيْئاً عَلىٰ وَجْهِ الْأَرْضِ أَحَبَّ مِنَ ٱلْعَتٰاقِ وَ لاٰ خَلَقَ شَيْئاً عَلىٰ وَجْهِ الْأَرْضِ أَبْغَضَ مِنَ ٱلطَّلاٰقِ.

"Allāh has not created on the face of this Earth anything more beloved by Him than freeing a slave, and He has not created anything on the face of this Earth more despised than divorce."

The couple should seek the help of older, wiser and trustworthy elders and Scholars who will try to help them resolve their differences. Allāh ﷻ tells us in the Qur'ān that:

﴿ وَإِنْ خِفْتُمْ شِقَاقَ بَيْنِهِمَا فَٱبْعَثُواْ حَكَمًا مِّنْ أَهْلِهِۦ وَحَكَمًا مِّنْ أَهْلِهَآ إِن يُرِيدَآ إِصْلَٰحًا يُوَفِّقِ ٱللَّهُ بَيْنَهُمَآ ۗ إِنَّ ٱللَّهَ كَانَ عَلِيمًا خَبِيرًا ﴾

"If there appears to be discord between a wife and her husband and if they desire reconciliation, then choose arbiters from the families of both sides. Allāh will bring them together; Allāh is All-Knowing and All-Aware." (Sūrah 4, Verse 35)

Generally, the couple needs to make a sincere and concerted effort to try and work things out before divorce is even considered.

4. Sexual Problems

It is unrealistic to expect the issue of sex and sex-related problems to mysteriously disappear once a couple gets married.

In the sex-saturated culture of North America, couples tend to place very high expectations of each other in this area. They also expect instant results.

In reality, it takes time, commitment, disappointment and investment to establish a sexual relationship in marriage which is in tune with the needs of each partner.

It's important for Muslim couples to walk into marriage with proper information about sex and sexual etiquette from an Islāmic perspective *(the book Marriage and Morals in Islām, by Ḥujjatul Islām as-Sayyid Muḥammad Rizvi is one such valuable resource)*. They both need to know what is ḥalāl (permissible) and what is ḥarām (forbidden). They should also keep in mind that spouses must never discuss their sexual relationship with others, unless it is to get help for a specific problem and that too one must get it from the right person.

On a similar note, it it important for both the husband and the wife to remember that they need to make themselves physically attractive for each other. Too many couples take marriage to mean an excuse to now let themselves go. The couple or one of the partners may gain too much weight, or may not care about hygiene or their looks in general.

The universal teachings of Islām also instructs the husband and wife to maintain cleanliness and beauty for the spouse. The Prophet of Islām (blessings of Allāh be upon him and his progeny) has commanded us that:

إِنَّ ٱللّٰهَ جَمِيلٌ يُحِبُّ ٱلْجَمٰالِ وَ يُحِبُّ أَنْ يُرىٰ أَثَرَ ٱلنِّعْمَةِ عَلىٰ عَبْدِهِ.

"Certainly Allāh is Beauty and He (only) loves beauty and He loves to see the effects of (His) blessings and bounties on His servants." (Al-Kāfi, Volume 6, Page 438)

The Prophet (blessings of Allāh be upon him and his progeny) has also told us that:

إِغْسِلُوا ثِيٰابَكُمْ وَخُذُوا مِنْ شُعُورِكُمْ وَٱسْتٰاكُوْا وَتَزَيَّنُوا وَتَنَظَّفُوا فَإِنَّ بَنِي إِسْرٰائِيلَ لَمْ يَكُونُوا يَفْعَلُونَ ذٰلِكَ فَزَنَتْ نِسٰائُهُمْ.

"Wash your clothes and trim the excess hair on your bodies and brush your teeth and beautify yourselves and keep yourselves clean, since certainly the Children of Isrā'īl never did these things and thus, their women committed adultery." (Nahj al-Fuṣāḥah, Page 72)

We quote one final ḥadīth on the importance of keeping clean and looking nice for one's spouse where the Prophet has been described as:

كٰانَ رَسُولُ ٱللّٰهِ يُنْفِقُ فِي ٱلطِّيبِ أَكْثَرَ مِمّٰا يُنْفِقُ فِي ٱلطَّعٰامِ

"The Messenger of Allāh used to spend more money on perfumes, than he used to spend on food." (Wasāil ash-Shīʿa, Volume 1, Page 443)

Thus, both the husband and wife must take the time out of their schedules to maintain proper hygiene, to look nice for one another and other such things related to their physical appearance. Our beloved Prophet (blessings of Allāh be

upon him and his family) has recommended husband and wife both to do these things.

5. In-Laws

The first few years of marriage are not just a period of adjustment for the married couple, rather, it is one of getting used to in-laws as well.

Husbands, wives and in-laws need to practice the Islāmic rules of social relations with each other. These include avoiding: sarcasm, backbiting, calling each other by offensive nicknames, and instead, making a special effort to respect each other as a family.

More importantly too, comparisons need to be avoided, since every individual and every couple is different. Therefore, wives should not be compared to mothers and sisters and similarly, husbands should not be compared to fathers and brothers. In-laws should not be compared to parents, and so on.

In addition, there should be regular, healthy contact between spouses and in-laws. This can mean visiting each other at least once or twice a month, or phoning regularly if distance makes it difficult to get together.

We should remember that many times in the Qur'ān, we have been ordered to maintain our family ties and relationships and one of the greatest sins in Islām is to sever ties with family members. However at the same time, the husband and wife must maintain a balance between the time they spend with parents/in-laws and with themselves:

﴿ إِنَّ ٱللَّهَ يَأْمُرُ بِٱلْعَدْلِ وَٱلْإِحْسَـٰنِ وَإِيتَآئِ ذِى ٱلْقُرْبَىٰ وَيَنْهَىٰ عَنِ
ٱلْفَحْشَآءِ وَٱلْمُنكَرِ وَٱلْبَغْىِ ۚ يَعِظُكُمْ لَعَلَّكُمْ تَذَكَّرُونَ ﴾

"Surely Allāh commands (people) to maintain justice, kindness, and proper relations with their relatives. He forbids them to commit indecency, sin, and rebellion and (Allāh) gives you advice so that perhaps you will take heed." (Sūrah 16, Verse 90)

In another verse of the Qur'ān, Allāh ﷻ instructs us as such:

﴿ يَـٰٓأَيُّهَا ٱلنَّاسُ ٱتَّقُوا۟ رَبَّكُمُ ٱلَّذِى خَلَقَكُم مِّن نَّفْسٍ وَٰحِدَةٍ وَخَلَقَ
مِنْهَا زَوْجَهَا وَبَثَّ مِنْهُمَا رِجَالًا كَثِيرًا وَنِسَآءً ۚ وَٱتَّقُوا۟ ٱللَّهَ ٱلَّذِى
تَسَآءَلُونَ بِهِۦ وَٱلْأَرْحَامَ ۚ إِنَّ ٱللَّهَ كَانَ عَلَيْكُمْ رَقِيبًا ﴾

"O' Mankind! Have fear of your Lord who has created you from a single soul. From it He created your spouse and through them He populated the land with many men and women. Have fear of the One by whose Name you swear to settle your differences and have respect for the wombs that bore you. Allāh certainly keeps watch over you. (Sūrah 4, Verse 1)

6. Realism

Boy meets girl. They fall in love. They live happily ever after. This is the plot of many Hollywood movies, where everyone is "perfect". Real life is very different.

Couples may enter marriage with high-flying romantic ideas and expecting their partner to be the ideal human, however all humans have good and bad points. Husbands and wives have to learn to accept each other, warts and all and since we ourselves are not perfect, how can we expect that form someone else?

7. Making a Schedule and Establishing Rituals

Making a schedule may seem like an end to spontaneity but that is not true. It allows you to establish your own lifestyle and rituals as a couple. It is especially important if both the husband and wife are going to school and/or working. In this scenario, a schedule helps in setting time aside for each other, during a fast-paced week of work and studies.

Some rituals couples can establish may include:

- Praying at least one prayer together.
- Performing the recommended supplications such as Duʿā-e-Kumayl, Duʿā-e-Tawassul, Duʿā-e-Nudbah, etc… together.
- Attending a study circle together once a week.
- Deciding on a weekly menu.
- Having a pancake breakfast every Saturday morning.
- Setting aside one day on which no work or studying will be done.
- Setting a day when both the husband and wife will clean up the house.
- Setting a time to discuss finances and a budget.
- Making a phone call to your spouse during the day.
- Deciding on a particular day and time once a month at least to visit each other's parents.

By discussing and setting up these rituals, couples learn how to talk to and feel responsible for each other. They also learn to become a team instead of two people living in the same house with separate lives.

8. Marriage as a Restriction

Muslim men who have grown up in North America may find marriage restricting. After all, before, they could hang out with their buddies and come home around 11:00 p.m. and no one would say a word. After marriage though, they have to be home by 7:00 p.m. if not earlier!

While marriage comes with responsibilities and a tighter schedule, the benefits are also there. It takes time and patience to realize that in the end the benefits (i.e. a life partner, children, etc.) are greater than the restrictions.

9. Friends and Islamic Activities

Friends are a joy and a good friend is someone you want to be close to for the rest of your life.

But friends are often the source of many marriage conflicts. Too much time spent with friends - either hanging out with them or being on the phone - means time lost with one's spouse.

Also, friends, especially if they are of the same age group, may give the wrong advice on marriage, due to their own inexperience in the area.

Some possible solutions to the friend dilemma could be:

- Working out a "friends time" at least once a week where the husband and the wife meet and/or talk with friends privately.
- Developing friendships with other married couples so spouses can befriend spouses (but keeping in mind the separation of the sexes).
- Islāmic activities fall in a similar category. Young Muslim activists may think they can keep attending those three-hour Islāmic discussions as they did before marriage.

Not so.

Too much focus on outside Islāmic activities takes one away from spouse time. Give Islāmic activities their due, but within a balance of everyone's rights, including those of your spouse.

10. In Relation to Secrets

A number of young married couples are notorious for not keeping secrets, especially those related to sexual matters, and thus expose their spouse's faults. This is not only unacceptable – but it is un-Islāmic as well.

Couples should seek to hide each other's faults. They should seek advice on marriage problems from a "marriage mentor", someone who is older, wiser, trustworthy and has the best interests of both parties at heart. The Holy Qur'ān tells us that:

هُنَّ لِبَاسٌ لَّكُمْ وَأَنتُمْ لِبَاسٌ لَّهُنَّ

"They (your wives) are a clothing (covering) for you and you too are a clothing for them." (Sūrah 2, Verse 187)

The functions of clothing are numerous, however one of them is to cover any defects or faults a person may have on his or her body and thus, the husband and wife must act, just as the Qur'ān commands us, as "clothing" for one another, meaning a cover.

11. Finances

How much should be spent on furniture, the house, food, etc? These are staple issues of any household and can lead to a tug-of-war between husband and wife.

To keep spending in check, husbands and wives need to draft a budget and stick to it. The household will run more efficiently and that's one less source of conflict in a marriage.

A special note to husbands: in the beginning of marriage, husbands tend to shower their wives with gifts. They do this as an expression of love and because they want to provide for their wives. However, as time passes and they keep giving, they go into debt or experience financial difficulty. As well, wives get used to a certain level of comfort which husbands can no longer afford.

Providing for a wife (and later on, a family) is not just reserved to material things. It includes spending time with them, and treating them with equity and kindness. In fact, most wives would prefer this kind of provision over expensive gifts.

12. Giving Each Other Space

A number of couples think being married means always being together and serving each other on hand and foot.

Wives may initially take over all the household chores, not letting the husband help or even do his own things (i.e. ironing his own clothes). They later regret this as household responsibilities increase and their husbands become dependent on them for the smallest things.

Husbands may think getting married means being with their wives all the time. This later may lead them to becoming irritable and cranky.

The key is to focus on being caring, fond of and accepting each other and giving each other sufficient space, yet at the same time, being there for one another. Doing this provides a necessary balance in a relationship which is so close both physically and emotionally. ◉

قَالَ رَسُولُ ٱللّٰهِ (صَلَّىٰ ٱللّٰهُ عَلَيْهِ وَ آلِهِ وَسَلَّمَ): مَنْ تَزَوَّجَ أَحْرَزَ نِصْفَ دِيْنِهِ.

The Messenger of Allāh (prayers of Allāh be upon him and his progeny) has said, "He who marries has safeguarded half of his religion."

OPINION OF THE ʿULAMĀ IN RELATION TO MARRIAGE

THE ISSUE OF an early marriage for the youth and the re-marriage for the widowed or divorced is of such importance that we could not neglect asking our leaders, the Marāʿja Taqlīd for their advice and guidance. During the ghaybah of our 12th Imām, the Marāʿja are our link to the true teachings of Islām and thus, we have requested four of them to provide us with valuable spiritual guidance in this area.

We have requested Āyatullāh al-ʿUẓmā al-Ḥājj as-Sayyid ʿAlī al-Ḥusainī as-Sīstānī, Āyatullāh al-ʿUẓmā al-Ḥājj as-Sayyid `Alī al-Ḥusainī Khāmene'ī, Āyatullāh al-ʿUẓmā al-Ḥājj ash-Shaykh Luṭfullāh as-Ṣāfī al-Gulpāygānī, and Āyatullāh al-ʿUẓmā al-Ḥājj ash-Shaykh Nāsir al-Makārim ash-Shīrāzī (may Allāh keep them all under His protection) to guide the Shīʿa Muslim community of the 'West' by answering the following questions:

Q *"May the Peace, Mercy and Blessings of Allāh be upon you. With greetings to your Eminence and the hope that your obedience to Allāh and your worship of the Most High Truth are all accepted, please guide us in the below mentioned issues:*

Question 1: *In your humble opinion, please explain how important is it for the young person living (in particular) in the West to get married at an early age (according to the society they are living in and their own individual needs and financial capabilities). In addition to this, for that person who has lost his or her spouse (through death) or is separated from his spouse (through divorce) – please explain to us the importance of these two groups of people remarrying.*

Question 2: *Are there any Islāmic legislations from the Noble Prophet and the Infallible Leaders (peace be upon all of them) by way of the noble aḥādith or verses of the Qur'ān in which we have been recommended to marry at an early age? Or is there anything in the ḥadith in which we have been advised to remarry after either divorce or the death of our spouse?*

Question 3: *If it is possible, can you please cite some historical events in which the Prophets, A'immah or their great Companions encouraged widows or divorcees to remarry?*

In closing, please remember the brothers and sisters of Canada and America in your supplications, especially the dear, valuable youth."

Opinion of Āyatullāh al-ʿUẓmā al-Ḥājj as-Sayyid ʿAlī al-Ḥusainī as-Sīstānī

آية الله العظمى الحاج السيد علي الحسيني السيستاني

بِسْمِ ٱللَّهِ ٱلرَّحْمَـٰنِ ٱلرَّحِيمِ

In the Name of Allāh, the Most Gracious, the Most Merciful

Answer 1: Marriage in itself is a highly recommended act such that if a person fears that he/she will fall into a forbidden (ḥarām) act, and the only way that he can prevent himself from committing that (forbidden) act is to get married, then it becomes obligatory (wājib) to get married.

Answer 2: It has been narrated from the Noble Prophet of Islām (blessings of Allāh be upon him and his progeny) that:

مَنْ تَزَوَّجَ أَحْرَزَ نِصْفَ دِينِهِ

"The person who marries safeguards half of his religion."

And he (blessings of Allāh be upon him and his progeny) has also stated that:

مَا ٱسْتَفَادَ ٱمْرُءٌ مُسْلِمٌ فَائِدَةً بَعْدَ ٱلْإِسْلاٰمِ أَفْضَلَ مِنْ زَوْجَةٍ مُسْلِمَةٍ تَسُرُّهُ إِذٰا نَظَرَ إِلَيْهٰا وَ تُطِيعُهُ إِذٰا أَمَرَهٰا وَ تَحْفَظُهُ إِذٰا غٰابَ عَنْهٰا فِي نَفْسِهٰا وَ مٰالِهِ

"There is nothing that has benefited the Muslim after (accepting the religion of) al-Islām greater than marrying a Muslim woman. He becomes elated when he looks at her and she obeys him when he directs her to do something and she protects him (her husband) when he is not there in relation to her self and his wealth."

It has been narrated from Imām Jaʿfar ibn Muḥammad as-Ṣādiq (peace be upon him) that:

رَكْعَتٰانِ يُصَلِّيهٰا ٱلْمُتَزَوِّجُ أَفْضَلُ مِنْ سَبْعِينَ رَكْعَةٍ يُصَلِّيهٰا أَعْزَبُ

"The two Rakʿat that a married person prays of his Ṣalāt is better than seventy Rakʿat that a bachelor performs."

Answer 3: It is sufficient to look at the code of conduct of the Noble Prophet of Islām (blessings of Allāh be upon him and his progeny) after the death of Khadījah (peace be upon her) and the code of conduct of Amīr al-Mo'minīn `Alī ibn Abī Ṭālib (peace be upon him) after the death of Ṣiddiqatul Kubrā (peace be upon her).

Office of Āyatullāh al-ʿUẓmā al-Ḥājj as-Sayyid ʿAlī al-Ḥusainī as-Sīstānī [25th of Safar, 1423 (April 28, 2003)]

Opinion of Āyatullāh al-ʿUẓmā al-Ḥājj as-Sayyid ʿAlī al-Ḥusainī al-Khāmene'ī

آية الله العظمى الحاج السيد علي الحسيني الخامنه اي

بِسْمِ ٱللَّهِ ٱلرَّحْمَـٰنِ ٱلرَّحِيمِ

In the name of Allāh, the Most Gracious, the Most Merciful

Salām ʿAlaikūm wa Raḥmatullahi wa Barakātuh,

Answer (to Questions 1, 2, & 3): Marriage is one of the highly recommended acts (in Islām) and that which has been mentioned by way of encouragement in getting married and the perils of not getting married are too much to enumerate (in the aḥādīth). From our master, Imām al-Bāqir (peace be upon him), it has been related that he said:

"The Prophet of Allāh (blessings of Allāh be upon him and his progeny) has said, 'There is no structure in Islām which is more loved by Allāh that that of marriage.'"

In addition, our master, Imām Jaʿfar as-Ṣādiq (peace be upon him) has said, *"Two Rakʿat of Ṣalāt of a married person is better than seventy Rakʿat of Ṣalāt of a bachelor and it is not good that marriage should be delayed due to poverty or other (material) needs…"*

It has been narrated from the Noble Prophet (blessings of Allāh be upon him and his progeny) that, *"The person who delays marriage due to fear of poverty, or other such reasons has had negative thoughts about Allāh (Glorified and Exalted is He)."*

May you all be successful and assisted (by Him).

Office of Āyatullāh al-ʿUẓmā al-Ḥājj as-Sayyid ʿAlī al-Ḥusainī Khāmene'ī

Opinion of Āyatullāh al-ʿUẓmā al-Ḥājj ash-Shaykh Luṭfullāh as-Ṣāfī al-Gulpāygānī

آية الله العظمى الحاج الشيخ لطف الله صافي الگلپايگاني

بِسْمِ ٱللَّهِ ٱلرَّحْمَـٰنِ ٱلرَّحِيمِ

In the name of Allāh, the Most Gracious, the Most Merciful

Wa ʿAlaikum Salām wa Raḥmatullahi wa Barakātuh,

Answer (to Questions 1, 2 & 3): Nikāh (marriage) is one of the highly recommended acts in Islām which we have been commanded to observe in the Noble Qur'ān and according to the noble aḥādīth of the Messenger, marriage is counted as being from the Sunnah of the Noble Prophet (blessings of Allāh be upon him and his progeny), which Muslims must not turn away from. It has been narrated from the Infallibles (peace be upon all of them) that if a person marries, he has safe-guarded half of his religion and in other narrations, he has safe-guarded one-third of his religion. In this regards, there is no difference if this happens to be a person's first marriage or after separation from his spouse, he or she remarries. In addition, if a person fears that by not getting married, one will fall into sin and transgression (of the laws of Allāh), them it becomes obligatory upon one to get married. *And Allāh knows best.*

May you all be successful,
Luṭfullāh Ṣāfī
[SEAL]

9th Dhul Qaʿdah, 1423
11th of January, 2003

Opinion of Āyatullāh al-ʿUẓmā al-Ḥājj ash-Shaykh Nāsir al-Makārim ash-Shīrāzī

آية الله العظمى الحاج الشيخ ناصر مكارم الشيرازي

بِسْمِ ٱللَّهِ ٱلرَّحْمَـٰنِ ٱلرَّحِيمِ

In the name of Allāh, the Most Gracious, the Most Merciful

After greetings and salutations to you all,

Answer (to Questions 1 & 2): There are various verses within the Noble Qur'ān, and in addition, countless aḥādīth from all of the respected Maʿṣūmīn (peace be upon all of them) in which they have recommended and encouraged those who are single to keep alive the Sunnah (tradition) of the Noble Prophet (blessings of Allāh be upon him and his progeny) and to get married as this act safeguards half of a person's faith.

These sorts of verses of the Qur'ān and aḥādīth are in both in relation to those youth who have not yet gotten married (for the first time), and even those men and women who were married in the past however at the present time, are once again single (for whatever reasons).

Answer (to Question 3): This issue has taken place many, many times during the lifetime of the Prophet of Islām (blessings of Allāh be upon him and his progeny) and the Pure and Sinless A'immah (peace be upon all of them).

And may the peace and blessings of Allāh be upon all of you.

Office of Ayatullāh al-ʿUẓmā al-Ḥājj Shaykh Nāṣir Makārim Shīrāzī

MARRIAGE & MORALS IN ISLĀM

- EXTRACTED FROM THE BOOK BY ḤUJJATUL ISLAM SAYYID MUHAMMAD RIZVI

MARRIAGE HELPS IN SPIRITUALITY

In Islam, contrary to Christianity, marriage and sex are not antipathetic to the love for and worship of God. Instead of an obstacle, marriage is regarded as an asset in acquiring spiritual perfection.

The Prophet ﷺ said, *"One who marries has already guarded half of his religion, therefore he should fear Allāh for the other half."* A person who can fulfill his sexual urges lawfully is less distracted in the spiritual journey. Love for women and faith are inter-related.

In one ḥadīth, ʿUmar bin Zayd quotes Imām Jaʿfar as-Ṣādiq (ع) that, *"I do not think that a person's faith can increase positively unless his love for women has increased."*

The same (ع) Imām said, *"Whenever a person's love for women increases, his faith increases in quality."* He also said, *"Whosoever's love for us increases, his love for women must also increase."*

The Prophet ﷺ said, "If anyone likes to meet Allāh in purity, then he should meet Him with a wife."

A woman came to the Prophet's house and her strong perfume soon filled the house. When the Prophet ﷺ inquired about the visitor, the woman said that she had tried everything to attract her husband but in vain; he does not leave his meditation to pay any attention to her. The Prophet ﷺ told her to inform her husband about the reward of sexual intercourse which he described as follows: "When a man approaches his wife, he is guarded by two angels and [at that moment in Allāh's views] he is like a warrior fighting for the cause of Allāh. When he has intercourse with her, his sins fell like the leaves of the tree [in fall season]. When he performs the major ablution, he is cleansed from sins."

These quotations from the Qur'ān and the sayings of the Prophet and the Imams of Ahlul Bayt show that the Islāmic view on sex and marriage is in complete harmony with human nature. It can easily be concluded that in the Islāmic sexual morality: (a) marriage and sex is highly recommended and it is in no way associated with evil, guilt or sin; (b) monasticism and celibacy is unacceptable; (c) marriage is considered a helping factor in attaining spiritual perfection it prevents the Muslims from getting into sins and also enhances the value of their acts of worship. These teachings neutralize the need for a sexual revolution in a Muslim society. Since there is no sexual suppression, the question of a sexual revolution does not arise.

Recommended Book List for Couples or those planning to get Married



All titles are available from the Islamic Humanitarian Service HEAD OFFICE for the below mentioned prices, which include Shipping & Handling

Islāmic Humanitarian Service
81 Hollinger Crescent
Kitchener, Ontario Canada, N2K 2Y8
Tel: 519-576-7111 | Fax: 519-576-8378
www.al-haqq.com | ihs@primus.ca

1. **Marriage and Morals in Islām**, by Ḥujjatul Islām Sayyid Muḥammad Rizvi ($8.00)

2. **Marriage and Family Ethics**, by Āyatullāh Ibrāhīm Aminī ($8.00)

3. **Islamic Family Structure**, by Ḥujjatul Islām Ḥusain Anṣāriyān ($15.00)

4. **Youth and Spouce Selection**, by ʿAlī Akbar Maẓāherī ($10.00)

5. **Women and Her Rights (also titled Rights of Women in Islām)**, by ʿAllāmah Shahīd Murtaḍhā Muṭahharī ($15.00)

6. **A Code of Ethics for Muslim Men and Women**, by Sayyid Masʿud Maʿsūmī ($8.00)

7. **A Code of Practice for Muslims in the West**, by Ayatullāh al-ʿUẓmā al-Ḥājj as-Sayyid ʿAlī al-Ḥusainī as-Sīstānī

Many of these books are also available on the InterNet. Log on to **www.al-islam.org** for quick reference of these and many other texts that deal with Marriage, family rights and duties and other relevant topics.

This **Islamic Marriage Guidebook** can also be read / downloaded in PDF© format from ***www.al-haqq.com or www.muslimyouth.ca***

Additional copies of this booklet can be acquired from the Islamic Humanitarian Service HEAD OFFICE.